

REMARKS

Claims 1-3 are pending in the application. Applicant respectfully requests reconsideration.

Examiner Interview

Applicant's representative, Brian Rosenbloom, wishes to thank the Examiner Rose for the courtesies extended during the interview held on April 5, 2006. During the interview, Applicant's representative discussed the rejection of claim 1 as being obvious over Chesebro in view of Baba. More specifically, Applicant's representative stated his position that Chesebro and Baba are not combinable because there is no "reasonable expectation of success". There is no "reasonable expectation of success" because Baba discloses that it is not possible to form a trench having a depth greater than 30 micrometers. Specifically, Baba states, "the depth of a trench must be set to be 30 μ m or more. The present trench technique cannot form this deep a trench. ..." *Baba, col. 2, ll. 40-49 (emphasis added)*.

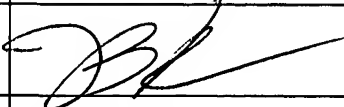
Accordingly, because there is no "reasonable expectation of success," the Office has not established a prima facie case of obviousness. See M.P.E.P. 2143 ("to establish a *prima facie* case of obviousness ... there must be a reasonable expectation of success.").

Examiner Rose was in agreement and indicated in the interview summary record that prosecution would be re-opened.

CONCLUSION

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections, and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

RESPECTFULLY SUBMITTED,					
NAME AND REG. NUMBER	Brian Rosenbloom, Registration No.: 41,276				
SIGNATURE				DATE	4/12/06
Address	Rothwell, Figg, Ernst & Manbeck Suite 800, 1425 K Street, N.W.				
City	Washington	State	D.C.	Zip Code	20005
Country	U.S.A.	Telephone	202-783-6040	Fax	202-783-6031